

**OGILVY
RENAULT**

Facsimile

Our File: 9-11054-12US WHY/sa

**RECEIVED
CENTRAL FAX CENTER**

JAN 18 2005

Confidentiality Message

This communication sent by facsimile is confidential, may be privileged and is intended for the exclusive use of the addressee. Any other person is strictly prohibited from disclosing, distributing or reproducing it. If the addressee cannot be reached or is unknown to you, please inform us immediately by telephone (613) 230-6072 at our expense and delete this message and all copies. Thank you.

Number of pages including cover letter: **4**
 Date: **January 18, 2005**
 From: **Wayne H. YAN (Reg. No. 44,485)**
 Telephone: **(613) 780-8682**
 E-mail: **wyan@ogilvyrenault.com**

To	Company	City	Fax
MAIL STOP: AMENDMENT Art Unit 2873	United States Patent Office – Facsimile Centre	Alexandria, VA	(703) 872-9306

Mail Stop Amendment

Re: Serial No. 10/677,351
 Inventor: Brent SHELDON
 Title: EYEWEAR HAVING LENSES WITH RIMS
 Art Unit: 2873
 Examiner: Jessica T. STULTZ

Response to Office Action requesting express abandonment of the application:

<u>Contents include:</u>	<u>Pages</u>
1. Fax Cover sheet	1
2. Transmittal form SB/21	1
3. Response to Office Action requesting express abandonment	2
Total Pages	4

Barristers and Solicitors
 Patent and Trade-Mark Agents

45 O'Connor Street
 Suite 1700
 Ottawa, Ontario
 Canada K1P 1A4

Telephone (613) 230-6072
 Fax (613) 230-6706
 ogilvyrenault.com

Continuing the practices of
 Melghem Demers
 Ogilvy Renault
 Swabey Ogilvy Renault

DOCSTY: 36067211

Montréal • Ottawa • Québec • Toronto • Vancouver • London (England)


PTO/SB/21 (08-03)


Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/677,351
	Filing Date	10/03/2003
	First Named Inventor	Brent SHELDON
	Art Unit	2873
	Examiner Name	Jessica T. STULTZ
	Attorney Docket Number	9-11054-12US
Total Number of Pages in This Submission		4

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet Letter to Commissioner requesting express abandonment
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Wayne H. YAN (Reg. No. 44,485)	
Signature		
Date	January 18, 2005	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Wayne H. YAN (Reg. No. 44,485)	
Signature		Date January 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 18 2005

File No.: 9-11054-12US

January 18, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brent SHELDON

Filed:

October 3, 2003

Serial No.:

10/677,351

Title:

EYEWEAR HAVING LENSES WITH RIMS

Examiner:

Jessica T. STULTZ

Group Art Unit:

2873

Mail Stop Amendment

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

RESPONSE TO NON-FINAL OFFICE ACTION

Sir:

In response to the Office Action dated October 18, 2004 for the above-identified patent application, please note the following:

Remarks/Arguments begin on page 2 of this paper.